

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

STEVEN SLADCIK,
Plaintiff,

v.

**MK MARLOW COMPANY LLC, MARK
MARLOW and MIKE ISBELL,**
Defendants.

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CIVIL ACTION NO. SA:11-CA-0529-FB

DEFENDANTS' ADVISORY TO THE COURT REGARDING RETURNED MAIL

TO THE HONORABLE UNITED STATES MAGISTATE JUDGE JOHN W. PRIMOMO:

Defendants MK Marlow Company LLC, Mark Marlow and Mike Isbell (collectively "Defendants") file this Advisory to the Court Regarding Returned Mail related to Defendants' Advisory Regarding Attorney's Fees.

1. Plaintiff initiated this lawsuit by filing his Original Complaint on June 30, 2011.
2. On December 1, 2011, the Court allowed the withdrawal of Plaintiff's counsel and provided the following address: 244 Valona, Cibolo, Texas 78108 to effect service on Plaintiff. The Court further provided the following email address for Plaintiff: swsladcik@gmail.com.
3. On March 7, 2012, Magistrate Primomo issued a Report and Recommendation granting Plaintiff's dismissal with prejudice, granting Defendants' motion for sanctions summary judgment and ordering Plaintiff to pay attorney's fees to Defendants which were reasonably incurred in the defense of this suit.
4. On March 21, 2012, pursuant to Magistrate Primomo's Order, Defendants file an Advisory to the Court Regarding Attorney's Fees and attached proof in support of Defendants' attorney's fees.
5. On March 21, 2012, Defendants served Plaintiff with Defendants' Advisory to the Court Regarding Attorney's Fees via certified mail, return receipt requested, to the address specified in the Court's December 1, 2011, Order.

6. However, on March 28, 2012, the envelope addressed to Plaintiff and containing Defendants' Advisory to the Court Regarding Attorney's Fees was returned "Attempted—Not Known" by the United States Postal Service. A copy of the returned envelope is attached hereto as Exhibit A.

7. Based on the fact that the advisory sent to the Court-provided address for Plaintiff via certified mail, return receipt requested, was returned, Defendants also served Plaintiff with Defendants' Advisory to the Court Regarding Attorney's Fees via the email contained in the Court's December 1, 2012, Order. Notice was sent to Plaintiff via email on March 29, 2012. A copy of the email sent to Plaintiff is attached hereto as Exhibit B.

WHEREFORE, PREMISES CONSIDERED, Defendants MK Marlow Company LLC, Mark Marlow and Mike Isbell pray that this Court award Defendants all relief to which they are entitled.

SEDGWICK, LLP

919 Congress Avenue, Suite 1250

Austin, Texas 78701

512.481.8400 (telephone)

512.481.8444 (telecopier)

michael.shaunessy@sedgwicklaw.com

eric.johnston@sedgwicklaw.com

By: /s/ Michael Shaunessy

MICHAEL SHAUNESSY

State Bar No. 18134550

ERIC A. JOHNSTON

State Bar No. 24070009

Attorneys for Defendants MK Marlow Company LLC, Mark Marlow and Mike Isbell

CERTIFICATE OF SERVICE

I hereby certify that, on the 29th day of March, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. I further certify that on March 29, 2012, I will send a copy of the foregoing via email at swsladcik@gmail.com and via certified mail, return receipt requested, and to the following:

Mr. Steven Sladcik
244 Valona
Cibolo, Texas 78108
Pro Se Plaintiff

/s/ Michael Shaunessy

Michael Shaunessy

Eric A. Johnston

Exhibit A

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

2. Once the problem is identified, the next step is to define the objectives and goals of the project. This helps to clarify what needs to be achieved and provides a clear direction for the team.

3. The third step is to develop a plan or strategy to address the problem. This involves breaking down the problem into smaller, manageable tasks and determining the resources needed to complete each task.

4. The fourth step is to implement the plan. This involves assigning tasks to team members, setting deadlines, and monitoring progress to ensure that the project is on track.

5. The final step is to evaluate the results of the project. This involves comparing the actual outcomes with the original objectives and goals to determine the effectiveness of the project and identify areas for improvement.

90718 6790 0406 9006 9040 0829 8106

RETURN RECEIPT REQUESTED

319 CONGRESS AVENUE, SUITE 1250 AUSTIN TX 78701-3050

Sedgwick

Mr. Steven Sladcik
244 Valona
Cibola, TX 78108



☒ MOVED, LEFT NO ADDRESS
☐ ATTEMPTED - NOT KNOWN
☐ UNCLAIMED ☐ REFUSED
☐ NO SUCH STREET
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Thank you for using Return Receipt Service

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Thank you for using Return Receipt Service

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Exhibit B

Doss, Julie

From: Doss, Julie
Sent: Thursday, March 29, 2012 11:57 AM
To: 'swsladcik@gmail.com'
Subject: Sladcik v. Marlow
Attachments: 2842981_1.PDF

Dear Mr. Sladcik:

Enclosed please find Defendants' Advisory to the Court Regarding Attorney's Fees which was filed with the Court on March 21, 2012. We attempted to serve with a copy of this document by certified mail, on the same date, but it was returned "Attempted—Not Known" by the USPS.

Please provide our office with a good address for you at your earliest convenience.

Regards,

Julie K Doss
Legal Assistant
Julie.Doss@sedgwicklaw.com | 512.481.8400

Sedgwick_{LLP}

919 Congress Ave., Ste. 1250
Austin, TX 78701
512.481.8400 *phone* | 512.481.8444 *fax* | www.sedgwicklaw.com